

**CALENDAR ITEM
C14**

A 14
S 3

08/15/14
PRC 5925.1
N. Lavoie

RESCISSION OF APPROVAL

APPLICANT:

William McInerney

AREA, LAND TYPE, AND LOCATION:

0.08 acre, more or less, of sovereign land in Mare Island Strait, adjacent to 39 Sandy Beach Road, near the city of Vallejo, Solano County.

AUTHORIZED USE:

Continued use and maintenance of an existing deck and residential use and construction of a new boat lift.

LEASE TERM:

10 years, beginning July 13, 2005.

CONSIDERATION:

\$1,241 per year, with the State reserving the right to fix a different rent periodically during the lease term as provided in lease.

SPECIFIC LEASE PROVISIONS:

Insurance: Liability insurance in an amount no less than \$1,000,000 per occurrence.

Bond: \$5,000.

Other: The proposed lease contains specific provisions prohibiting expansion of the residential structures, and requiring removal of the residential structures from the State's sovereign land under specific circumstances.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.

CALENDAR ITEM NO. C14 (CONT'D)

2. On June 24, 2008, the Commission authorized a General Lease – Recreational and Residential Use to William McInerney. To date, staff has not received an executed lease from the Applicant, despite many requests. With less than one year remaining on the previously authorized lease, staff recommends the rescission of the prior approval while staff pursues a new lease application from William McInerney. The rescission of this lease and the pursuit of a new lease with Mr. McInerney is part of a larger, coordinated staff effort to bring all encroachments into sovereign land on Sandy Beach Road under lease.
3. The staff recommends that the Commission find that the subject rescission of lease approval does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Site and Location Map
- B. Land Description

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

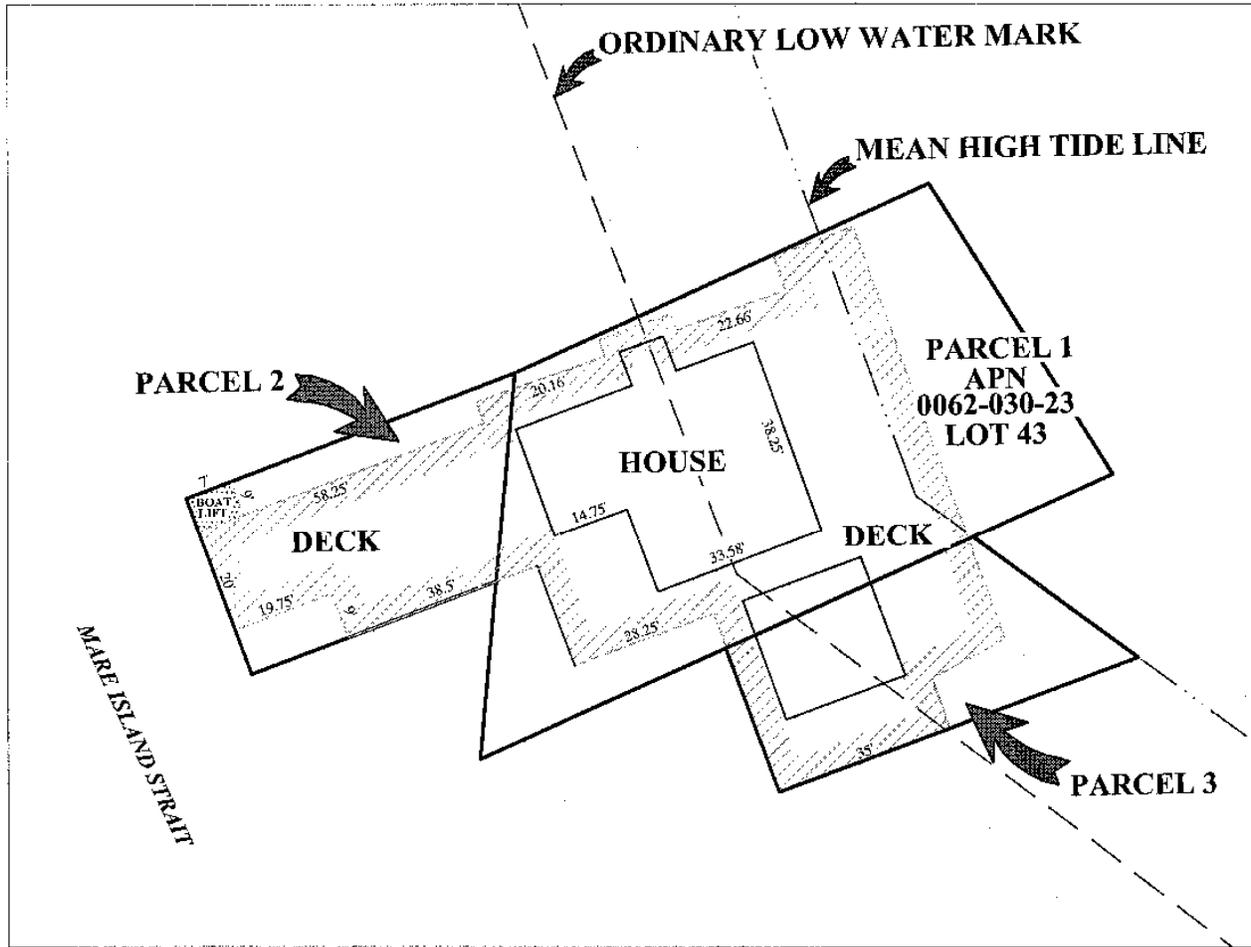
Find that the subject rescission of lease approval is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize rescission of the Commission's approval of Lease No. PRC 5925.1, a General Lease – Recreational and Residential Use, at the June 24, 2008 meeting, issued to William McInerney.

NO SCALE

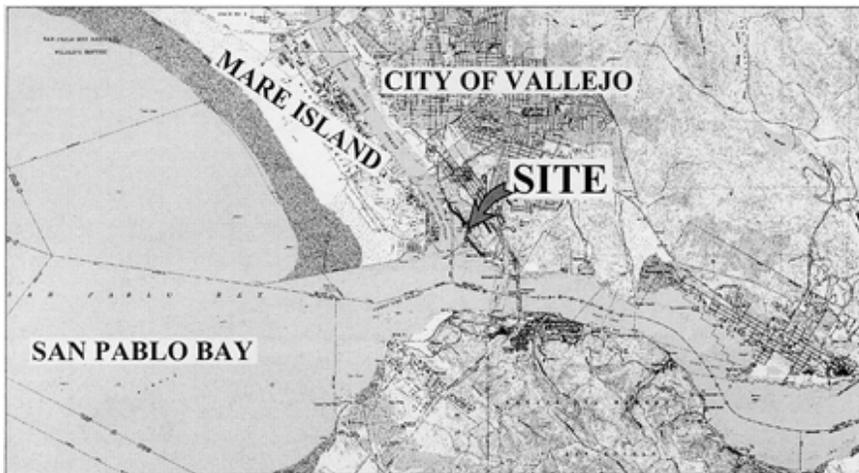
SITE



39 SANDY BEACH ROAD, VALLEJO, CA
MARE ISLAND STRAIT, SOLANO COUNTY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

WP 5925.1

McINERNEY

APN 0062-030-23

GENERAL LEASE
RECREATIONAL AND
RESIDENTIAL USE
SOLANO COUNTY



HUSTEAD 1/16/2007

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT B

PRC 5925.1

LAND DESCRIPTION

A parcel of tide and submerged land in Solano County, California lying immediately beneath the building, deck, and boat lift as shown on the site map dated 12/17/2004 and revised 1/15/2008 and on file in PRC5925.1 at the California State Lands Commission; said parcel exists within the following three (3) described contiguous parcels:

PARCEL 1

Lot 43 as shown on the Record of Survey Map of Sandy Beach Cabin Sites, Recorded in the Office of the County Recorder of Solano County, California, on February 14, 1944, Book 1 of Maps, Pages 1 and 2.

PARCEL 2

BEGINNING at the northwest corner of said Lot 43; thence southwesterly, perpendicular to the mean low water line as shown on the W. B. Boggs Survey, per Solano County Superior Court Case Numbers 16949 and 19259 S 69°03'23" E, 66.5 feet to the northerly extension of the westerly side of said deck; thence along said deck side S 20°13'38" E, 35.7 feet to the westerly prolongation of the most southerly side of the deck which extends westerly of the westerly boundary of said Lot 43; thence along said prolongation N 69°09'55" E, 49.5 feet to said westerly boundary; thence along said westerly boundary N 5°03'52" E, 39.9 feet to the POINT OF BEGINNING.

PARCEL 3

BEGINNING at a point which bears N 65°43'42" E, 51.2 feet from the southwest corner of said Lot 43, being the intersection of the southerly boundary of said Lot 43 with the westerly side of said deck as it extends southerly of said southerly boundary; thence along said deck side S 20°27'56" E, 29.1 feet to the southerly side of said deck; thence along said southerly deck side and its prolongation N 69°26'39" E, 73.1 feet to the mean high tide line as shown on the W. B. Boggs Survey, per Solano County Superior Court Case Numbers 16949 and 19259; thence along said mean high tide line N 54°09'08" W, 39.0 feet to said southerly boundary; thence S 65° 43' 43" W, 51.2 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the mean high tide line as shown on the W. B. Boggs Survey, per Solano County Superior Court Case Number 19259.

The basis of bearings for this description is California Coordinate System 1983, Zone 2. All bearings and distances are grid and in feet.

END OF DESCRIPTION

Prepared December 20, 2007 by the California State Lands Commission Boundary Unit

